

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27799 of 2024

Arising Out of PS. Case No.-45 Year-2024 Thana- OBRA District- Aurangabad

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Pramod Kumar S/O Vinay Prasad Gupta R/O Village- Rafiganj Road Goh
Bazar, P.S- Goh, Distt- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 29-04-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Obra
P.S. Case No. 45 of 2024 instituted for the offence under
Sections 461 & 379 of the Indian Penal Code.

3. Prosecution case in short is that informant has
alleged that some of the paddy bags from his godown was stolen
by someone and as such he installed CCTV Camera in his
godown. A tempo was seen in the CCTV footage on 04-02-2024
and on that basis two accused persons were apprehended. On
interrogation, they disclosed that they had committed theft of
paddy. During the course of investigation, the alleged stolen
paddy has been recovered from the possession of the petitioner.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 09-02-2024. Petitioner is a man of clean antecedent.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Sanjay Kumar and Guddu Kumar and the same has no evidentiary value. It is submitted that petitioner has no concern with the alleged recovered tempo. As far as recovery of 20 bags of paddy from the possession of the petitioner is concerned, the accused persons have sold the same to the petitioner and petitioner is a *bona fide* owner of shop namely, Vinay Galla Bhandar, which would manifest from annexure-2 to the bail application. It is lastly submitted that charge sheet has already been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, clean antecedent of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.



8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Obra P.S. Case No. 45 of 2024 .

(Rudra Prakash Mishra, J)

Raj kishore/-

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